

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301  
Indianapolis, IN 46204  
(317) 233-0696  
<http://www.in.gov/legislative>

**FISCAL IMPACT STATEMENT**

**LS 6155**

**BILL NUMBER:** SB 258

**NOTE PREPARED:** Nov 21, 2007

**BILL AMENDED:**

**SUBJECT:** Discharge of Long-Term Inmates.

**FIRST AUTHOR:** Sen. Waterman

**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State

**Summary of Legislation:** This bill requires the Department of Correction (DOC) to provide for an automatic, one-time review of a long-term inmate's sentence to determine whether the inmate has been rehabilitated and has suitable plans that would warrant discharge from custody.

**Effective Date:** July 1, 2008.

**Explanation of State Expenditures:** Depending on the decisions made by the sentence review panel, this bill may reduce the number of offenders in Department of Correction facilities in the long term and increase the number of offenders who may need to be supervised on parole. Operations of a review panel may involve some meeting and travel reimbursement costs based on panel membership as determined by the DOC.

As of October 22, 2007, there were 188 offenders who had been imprisoned in DOC facilities for 25 years or longer (as specified in the bill). Of these, 98 were reported to have either a high school diploma or a GED, and 39 had some post-secondary education. Education is one of the criteria that DOC may consider when deciding to grant an early release. Each of these 137 offenders with either a diploma or post-secondary education were in the Class I behavioral group. This group, which receives one day of credit time for each day incarcerated, is the highest conduct class, another criterion that DOC may use. Other criteria DOC may consider include, but are not limited to, assurance of suitable living quarters when the offender is released and proof of job offers from local employers where the offender would reside. There was no information available about these offenders' prospects for employment or other family or community support. Depending on the number of offenders who are released, the state could save between \$1,825 and \$19,185 per offender.

The average cost of \$1,825 would apply if only a few offenders are released due to this provision. This

amount represents the marginal cost of housing offenders in existing facilities with no additional staff, and avoiding having to provide medicines, food, and clothing for these offenders who are released. If a significant number of offenders are released, the state could save as much as \$19,185 per offender. This savings can occur if DOC facilities can avoid paying for personnel, including correctional officers, program staff, and other support staff, as well as avoiding having to provide food, clothing, and medicines for these offenders.

More offenders being released may increase parole expenses if more sex offenders are released early and need to be supervised. Under IC 35-50-6-1(d), sex offenders may be assigned parole supervision for up to ten years. Of these 135 offenders with either a high school diploma or a GED, ten were committed for a sex crime. (The number of adult offenders on parole was 8,967 offenders on July 1, 2007, as compared to 4,577 adults in July 1, 1998.) As of November 2007, 119 parole officer positions were filled and 32 positions were vacant.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:**

**Information Sources:** DOC; *State of Indiana Staffing Report Position and Employee Totals*, November 8, 2007.

**Fiscal Analyst:** Mark Goodpaster, 317-232-9852.